

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

| | | |
|--------------------|---|-----------------------|
| IN RE: |) | |
| |) | |
| ROSINA DENISE COOK |) | Case No. 16-32472-KRH |
| |) | Chapter 13 |
| Debtor |) | |

MOTION TO INCUR DEBT

COMES NOW, the Debtor, by counsel, and as and for her Motion to Incur Debt, states as follows:

1. The Debtor filed this case under Chapter 13 of the U.S. Bankruptcy Code on May 16, 2016.
2. The Debtor has applied for and Movement Mortgage, LLC has approved a loan to the Debtor in the amount of \$378,826.00 plus interest at 3.625% per annum to be repaid with estimated equal monthly payments of approximately \$2,296.00 for principal and interest for the purchase of a home located at 8902 Mansfield Woods Drive, Henrico, Virginia 23231. The loan term is thirty 300 months. A copy of the Closing Disclosure is attached hereto as Exhibit "A" and incorporated herein by this reference. The closing costs are to be paid by the Debtor.
3. The purchase of the Property is in the best interest of the Debtor and will facilitate his ability to perform under his Chapter 13 Plan filed herein.
4. The Debtor's Chapter 13 Plan has been confirmed.

WHEREFORE, the Debtor requests that the Court enter an Order approving the aforesaid loan on the terms stated herein and for such other relief as the Court may deem appropriate.

ROSINA DENISE COOK

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2020, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record who have signed up to receive such notification and by first class mail to the parties on the attached list.

/s/ James E. Kane
James E. Kane

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| ROSINA DENISE COOK |) | Case No. 16-32472-KRH |
| |) | Chapter 13 |
| Debtor |) | |

NOTICE OF MOTION AND HEARING

The above Debtor has filed Motion to Incur Debt in the above matter.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, within twenty-one (21) days from the date of this Notice you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
Kane & Papa, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled for **May 13, 2020 at 12:00 p.m. at U.S. Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219.** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: May 6, 2020

ROSINA DENISE COOK

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
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/s/ James E. Kane
James E. Kane

MOVEMENT MORTGAGE, LLC
8024 CALVIN HALL ROAD · INDIAN LAND, SC 29707

Save this Loan Estimate to compare with your Closing Disclosure.

Loan Estimate

DATE ISSUED 04/25/2020
APPLICANTS ROSINA DENISE COOK
8902 MANSFIELD WOODS DRIVE
HENRICO, VA 23231
PROPERTY 8902 MANSFIELD WOODS DRIVE
HENRICO, VA 23231
EST. PROP. VALUE \$390,000

LOAN TERM 30 years
PURPOSE Refinance
PRODUCT FIXED RATE
LOAN TYPE ☐ Conventional ☒ FHA ☐ VA ☐ _____
LOAN ID# 3116168
RATE LOCK ☒ NO ☐ YES, until
Before closing, your interest rate, points, and lender credits can change unless you lock the interest rate. All other estimated closing costs expire on 5/7/2020 8:00 PM EDT

| Loan Terms | | Can this amount increase after closing? | |
|--|------------------|--|---------------------------------|
| Loan Amount | \$378,826 | NO | |
| Interest Rate | 3.625% | NO | |
| Monthly Principal & Interest <i>See Projected Payments below for your Estimated Total Monthly Payment</i> | \$1,727.64 | NO | |
| Prepayment Penalty | | Does the loan have these features? NO | |
| Balloon Payment | | NO | |
| Projected Payments | | | |
| Payment Calculation | Years 1-30 | | |
| Principal & Interest | | \$1,727.64 | |
| Mortgage Insurance | + | 261 | |
| Estimated Escrow <i>Amount can increase over time</i> | + | 307 | |
| Estimated Total Monthly Payment | | \$2,296 | |
| Estimated Taxes, Insurance & Assessments <i>Amount can increase over time</i> | \$307 a month | This estimate includes <input checked="" type="checkbox"/> Property Taxes <input checked="" type="checkbox"/> Homeowner's Insurance <input type="checkbox"/> Other: <i>See Section G on page 2 for escrowed property costs. You must pay for other property costs separately.</i> | In escrow? YES YES |
| Costs at Closing | | | |
| Estimated Closing Costs | \$14,410 | Includes \$12,196 in Loan Costs + \$2,214 in Other Costs - \$0 in Lender Credits. <i>See page 2 for details.</i> | |
| Estimated Cash to Close | \$53 | Includes Closing Costs. <i>See Calculating Cash to Close on page 2 for details.</i> <input type="checkbox"/> From <input checked="" type="checkbox"/> To Borrower | |

| | |
|-------------------------------|----------------|
| A. Origination Charges | \$2,889 |
| 0.5% of Loan Amount (Points) | \$1,894 |
| UNDERWRITING FEE | \$995 |

| | |
|-------------------------|---------|
| APPRAISAL | \$600 |
| CREDIT REPORT FEE | \$75 |
| FHA UPFRONT MIP | \$6,515 |
| FLOOD CERTIFICATION FEE | \$7 |
| IRS TRANSCRIPT FEE | \$20 |
| VOE FEE | \$50 |

| | |
|---------------------------------------|---------|
| TITLE – ABSTRACT | \$150 |
| TITLE – BINDER | \$100 |
| TITLE – CLOSING PROTECTION LETTER (L) | \$35 |
| TITLE – EXAMINATION | \$200 |
| TITLE – LENDERS TITLE INSURANCE | \$1,130 |
| TITLE – SETTLEMENT SERVICE | \$425 |

\$12,196

| | |
|---|----------------|
| E. Taxes and Other Government Fees | \$1,037 |
| Recording Fees and Other Taxes | \$128 |
| Transfer Taxes | \$909 |

| | |
|---|-------|
| Homeowner's Insurance Premium (months) | |
| Mortgage Insurance Premium (months) | |
| Prepaid Interest (\$37.62 per day for 15 days @ 3.625%) | \$564 |
| Property Taxes (months) | |

| | | | |
|-----------------------|------------------------|-------|-------|
| Homeowner's Insurance | \$65.50 per month for | 2 mo. | \$131 |
| Mortgage Insurance | per month for | mo. | |
| Property Taxes | \$241.00 per month for | 2 mo. | \$482 |

\$2,214

\$14,410

| | |
|----------------|----------|
| D + I | \$14,410 |
| Lender Credits | |

| | |
|--------------------------------------|------------|
| Loan Amount | \$378,826 |
| Total Closing Costs (J) | -\$14,410 |
| Estimated Total Payoffs and Payments | -\$364,363 |

Estimated Cash to Close ☐ From ☒ To Borrower \$53

| | |
|--|----------|
| Estimated Closing Costs Financed (Paid from your Loan Amount) | \$14,410 |
|--|----------|

Additional Information About This Loan

| | | |
|------------------------|--------------------------------|------------------------|
| LENDER | MOVEMENT MORTGAGE, LLC | MORTGAGE BROKER |
| NMLS / ____ LICENSE ID | 39179 | NMLS / ____ LICENSE ID |
| LOAN OFFICER | JEREMY ALLENBAUGH | LOAN OFFICER |
| NMLS / ____ LICENSE ID | 249208 | NMLS / ____ LICENSE ID |
| EMAIL | JEREMY.ALLENBAUGH@MOVEMENT.COM | EMAIL |
| PHONE | (804)288-3872 | PHONE |

| Comparisons | | Use these measures to compare this loan with other loans. |
|---------------------------------|-----------|--|
| In 5 Years | \$131,480 | Total you will have paid in principal, interest, mortgage insurance, and loan costs. |
| | \$38,305 | Principal you will have paid off. |
| Annual Percentage Rate (APR) | 4.707% | Your costs over the loan term expressed as a rate. This is not your interest rate. |
| Total Interest Percentage (TIP) | 64.327% | The total amount of interest that you will pay over the loan term as a percentage of your loan amount. |

| Other Considerations | |
|-----------------------------|---|
| Appraisal | We may order an appraisal to determine the property's value and charge you for this appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close. You can pay for an additional appraisal for your own use at your own cost. |
| Assumption | If you sell or transfer this property to another person, we <input checked="" type="checkbox"/> will allow, under certain conditions, this person to assume this loan on the original terms. <input type="checkbox"/> will not allow assumption of this loan on the original terms. |
| Homeowner's Insurance | This loan requires homeowner's insurance on the property, which you may obtain from a company of your choice that we find acceptable. |
| Late Payment | If your payment is more than 15 days late, we will charge a late fee of <i>4% of the overdue monthly principal and interest payment</i> . |
| Liability after Foreclosure | Taking this loan could end any state law protection you may currently have against liability for unpaid debt if your lender forecloses on your home. If you lose this protection, you may have to pay any debt remaining even after foreclosure. You may want to consult a lawyer for more information. |
| Refinance | Refinancing this loan will depend on your future financial situation, the property value, and market conditions. You may not be able to refinance this loan. |
| Servicing | We intend <input type="checkbox"/> to service your loan. If so, you will make your payments to us. <input checked="" type="checkbox"/> to transfer servicing of your loan. |

Confirm Receipt

By signing, you are only confirming that you have received this form. You do not have to accept this loan because you have signed or received this form.

ROSINA DENISE COOK

Date

Label Matrix for local noticing
0422-3

Case 16-32472-KRH

Eastern District of Virginia
Richmond

Thu Jun 20 16:17:08 EDT 2019

Capital One Auto Finance c/o AIS Portfolio S
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Capital One Auto Finance
P.O. Box 201347
Arlington, TX 76006-1347

Henrico County, Virginia
HENRICO CONTY
P.O. BOX 90775
HENRICO, VA 23273-0775

Capital One Auto Finance c/o AIS Portfolio S
P.O. BOX 4360
Houston, TX 77210-4360

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

AMCA
P.O. Box 1235
Elmsford, NY 10523-0935

Account Control Systems, Inc.
85 Chestnut Ridge Rd.
Suite 113
Montvale, NJ 07645-1836

Ashley Funding Services, LLC its successors
assigns as assignee of Laboratory
Corporation of America Holdings
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Bon Secours Memorial Regional Med Ctr
c/o Patrick F. Heinen, Esq.
Spinella, Owings & Shaia, P.C.
8550 Mayland Dr.
Richmond, VA 23294-4704

Bureaus Investment Group Portfolio No 15 LLC
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

Bureaus Investment Group Portfolio No 15 LLC
c/o Recovery Management Systems Corp
25 SE 2nd Avenue Suite 1120
Miami FL 33131-1605

COUNTY OF HENRICO, VIRGINIA
ANDREW R. NEWBY
ASSISTANT COUNTY ATTORNEY
P.O. BOX 90775
HENRICO, VIRGINIA 23273-0775

Capital One
Po Box 30285
Salt Lake City, UT 84130-0285

Capital One Auto Finance
7933 Preston Rd
Plano, TX 75024-2302

Capital One Auto Finance, a division of Capi
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Capital One Auto Finance, c/o Ascension Capi
P.O. Box 201347
Arlington, TX 76006-1347

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

Comenity Bank/Victoria Secret
Po Box 18215
Columbus, OH 43218-0000

Commonwealth of Virginia
Department of Taxation
P.O. Box 2156
Richmond, VA 23218-2156

County of Henrico, VA
PO Box 90775
Dept of Finance
Henrico, VA 23273-0775

Department Store National Bank
c/o Quantum3 Group LLC
PO Box 657
Kirkland, WA 98083-0657

Dr. Overton Wiley Kirchmer
10410 Ridgfield Pkwy.
Henrico, VA 23233-3500

ECMC
PO Box 16408
St. Paul, MN 55116-0408

(c)ECMC
3505 HIGHPOINT DR N
OAKDALE MN 55128-7577

FMS, Inc.
PO Box 707600
Tulsa, OK 74170-7600

Firstsource Advantage, LLC
PO Box 628
Buffalo, NY 14240-0628

(p)FOCUSED RECOVERY SOLUTIONS
9701 METROPOLITAN COURT
STE B
RICHMOND VA 23236-3690

Ginny's
c/o Creditors Bankruptcy Service
P.O. Box 800849
Dallas, TX 75380-0849

Ginnys/Swiss Colony Inc
1112 7th Ave
Monroe, WI 53566-1364

Glasser & Glasser
580 E. Main St.
Suite 600
Norfolk, VA 23510-2322

Henrico Area Mental Health
10299 Woodman Rd.
Glen Allen, VA 23060-4419

IC Systems, Inc
444 Highway 96 East
Po Box 64378
St Paul, MN 55164-0378

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

MCV HOSPITAL
P O BOX 980462
RICHMOND, VA 23298-0462

MCV Physicians
PO Box 91747
Richmond, VA 23291-9747

MIDLAND FUNDING LLC
PO Box 2011
Warren, MI 48090-2011

Midland Funding
2365 Northside Dr
Suite 300
San Diego, CA 92108-2709

POM Recoveries
PO Box 602
Lindenhurst, NY 11757-0602

Pediatric Center
10571 Telegraph Rd.
Suite 110
Glen Allen, VA 23059-4652

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Professional Bureau of Collect
P.O. Box 4157
Englewood, CO 80155-4157

Receivables Performance Mgmt
Attn: Bankruptcy
Po Box 1548
Lynnwood, WA 98046-1548

Synchrony Bank/PayPal Cr
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076-9104

Synchrony Bank/Walmart
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076-9104

TD Bank USA, N.A.
C O WEINSTEIN & RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

Target
C/O Financial & Retail Services
Mailstop BT PO Box 9475
Minneapolis, MN 55440-9475

The Bureaus Inc.
650 Dundee Rd
Ste 370
Northbrook, IL 60062-2757

Virginia Department of Tax
P.O. Box 1115
Richmond, VA 23218-1115

Visa Dept Store National Bank
Attn: Bankruptcy
Po Box 8053
Mason, OH 45040-8053

Wells Fargo Auto
Po Box 29704
Phoenix, AZ 85038-9704

Wells Fargo Bank, N.A. - Wells Fargo Auto Fi
PO Box 29706
Phoenix, AZ 85038-9706

James E. Kane
Kane & Papa, PC
1313 East Cary Street
P.O. Box 508
Richmond, VA 23218-0508

Rosina Denise Cook
6464 Springcrest Lane
Henrico, VA 23231-5324

Suzanne E. Wade
P.O. Box 1780
Richmond, VA 23218-1780

Focused Recovery Solutions
9701-Metropolitan Ct
Ste B
Richmond, VA 23236-0000

Internal Revenue Service
Kansas City, MO 64999-0002
Document Page 10 of 10

Portfolio Recovery
Attn: Bankruptcy
Po Box 41067
Norfolk, VA 23541-0000

(d)Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

Addresses marked (c) above for the following entity/entities were corrected
as required by the USPS Locatable Address Conversion System (LACS).

Ecmc
1 Imation Place
Bldg 2
Oakdale, MN 55128-0000

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Wellsfargo bank n.a.

| | |
|---------------------|----|
| End of Label Matrix | |
| Mailable recipients | 55 |
| Bypassed recipients | 1 |
| Total | 56 |